

BEFORE THE
THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

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IN THE MATTER OF
TECHNICAL REQUIREMENTS TO ENABLE BLOCKING
OF VIDEO PROGRAMMING BASED ON PROGRAM RATINGS
(ET DOCKET 97-206)

COMMENTS OF
THE ACTION GROUP ON VIOLENCE ON TELEVISION
(CANADA)

1. INTRODUCTION

The Action Group on Violence on Television (AGVOT) is a pan-industry organization with representation from all the major segments of the broadcast industry in Canada.

It was created in February 1993, to provide the Canadian broadcast industry with a means to jointly develop and implement innovative approaches to societal issues related to the portrayal of violence on television.

Since its inception it has been involved in a wide range of activities, the most important of which has been overseeing the development and testing of program rating systems for use by Canadian programming services.

2. BACKGROUND

In Public Notice 1996-36, the Canadian Radio-television and Telecommunications Commission (CRTC), the federal body responsible for the regulation of broadcasting in Canada, detailed its expectations of the Canadian broadcast and cable industries in regards to "protecting children from the harmful effects of television violence while preserving freedom of expression for creators and choice for adult viewers".

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The Commission said that by September 1996, Canadian broadcasters would be responsible for applying a classification system for violent content to children's programming, drama programs, "reality shows" (reality-based dramatic programs), and feature films, as well as promotional spots for any of these types of programs and advertisements for theatrical releases. At the same time, Canadian cable companies, and other distributors, would be required to make V-chip technology available to any subscriber who wanted it.

The CRTC assigned the responsibility of developing the rating system to AGVOT, with the direction that input should be sought from the public, programmers and distributors.

When it became apparent for a number of reasons that the September 1996 objective could not be met, AGVOT requested additional time for the development and testing both of English and French classification systems and new V-chip technology. The Commission agreed to the extension request, and on October 4, 1996 issued PN 1996-134, in which it established a new implementation date of September 1997.¹

In the early months of 1997, AGVOT conducted the largest field trial of V-chip technology in the world, with nearly four hundred Canadian families in five cities across the country participating.

A total of twenty-eight programming services participated in the trial. They encoded their programming with a ratings designator using field 2 of line 21 of the vertical blanking interval as the transmission method. (Previous trials had the ratings information encoded in field 1 of line 21 of the VBI) The broadcast participants included 14 conventional over-the-air stations, 3 national networks, 7 cable-delivered specialty services and 4 U.S. border stations received by Canadians via cable.

The trial had three primary objectives:

1. To test new technology and software which encoded the signal at the broadcaster origination point, using field two of line 21 of the VBI;
2. To test the new stand-alone box developed by the Canadian cable industry which would decode and read the ratings information contained in the field two of line 21

¹ The full text of all CRTC Public Notices and Decisions referred to in this document can be found at the Commission's website www.crtc.gc.ca

of the signal, and block both audio and video elements of any program which was encoded with a higher level than the one set by parents;

3. To test public acceptance of the ratings systems for English-language and French-language programming services, developed by the broadcast industry under the supervision of AGVOT.

The V-chip boxes also included the rating system used by Canadian Pay and Pay-per-view services, as well as the *TV Parental Guidelines System* developed by American broadcasters and introduced in December 1996. The US border stations which participated in the trial used that rating system to encode their programming.

The trial ran from February 7 to March 16, 1997. It was followed by extensive research involving parents in the V-chip test households who were asked for their opinions on the rating systems and how the stand-alone V-chip box had worked. The Canadian public was also asked for its views on the proposed rating systems in separate national research.

On April 30, 1997, AGVOT tabled a comprehensive study with the CRTC in which it reported the results of the trial, and recommended the CRTC endorse the classification systems which had been tested by the English and French language programming services.²

AGVOT also reported that while the new stand-alone V-chip box had generally performed well in the trial, broadcasters reported serious deficiencies in the software used to encode their programming, and encountered difficulties with the limited selection of line 21 field 2 encoding hardware available at the time of the trial.

In tabling the AGVOT report, Canadian programming services offered, as an interim measure, to rate their programming with on-screen icons by the Fall of 1997 in order to meet their commitment to the Commission to have a rating system in place by that time. The industry also re-stated its commitment to the implementation of V-chip technology, and indicated it would continue its efforts to initiate an encoding system as soon as the technical problems could be resolved.

² The AGVOT Report to the CRTC is available at the following website addresses: www.cab-acr.ca and www.cbsc.ca

On June 18 1997, the CRTC released Public Notice 1997-80 *Classification for Violence in Television Programming*. In that decision it endorsed the English and French program classification systems which had been used in the trial by conventional broadcasters and the cable specialty services. The Commission also agreed to the "on-screen icon" proposal as an interim measure.

The CRTC stated that there should be a "clear understanding that it reaffirms its support for the development of parental control technology, and reiterates that it will continue to monitor all developments and take whatever steps are needed to ensure that the protection of children is a permanent feature of the Canadian broadcasting system".

On September 29, 1997, Canadian broadcasters introduced the on-screen classification icons which are now in use by all English and French conventional and specialty program services. They are using the rating systems which in addition to being approved by the CRTC, have also been endorsed by children's interest groups such as the Vanier Institute of the Family, the Canadian Paediatric Association, and the Alliance for Children and Television. The introduction of program classification in Canada has been well-received by the public.

3. RATING TELEVISION PROGRAMMING IN CANADA

We wish to draw the FCC's attention to the television program classification systems that have been formally endorsed by the Canadian Radio-television and Telecommunications Commission, and which are now currently in use by Canadian programming services. (As a matter of information, we are including the icon developed for each level in the English-language rating system currently being used on-screen.)

AGVOT wanted to ensure the FCC was apprised of the *official* Canadian rating systems, as in its Notice of Proposed Rulemaking document (FCC-97-340) on Page 6, Footnote 21, there is reference to Canadian experimentation with a "four category rating system". The system referred to in this footnote was utilized in early trials of V-chip technology by the Canadian cable industry, and may have been referred to in other submissions to the Commission as the "Canadian" system. However, it is not the system which has been accepted by the Canadian broadcast regulator and which is now in use in Canada.

3.1 FOR ENGLISH-LANGUAGE PROGRAMMING SERVICES

EXEMPT³ (AN ON-SCREEN ICON IS NOT REQUIRED FOR EXEMPT CLASSIFICATION)



CHILDREN



CHILDREN OVER 8 YEARS



GENERAL



PARENTAL GUIDANCE



OVER 14 YEARS



ADULTS

3.2 FOR FRENCH LANGUAGE PROGRAMMING SERVICES

In PN 1996-36, the Commission noted the recommendation from AGVOT and others that given the familiarity with, and acceptance of the Régie du cinéma rating system in Quebec (the system used in the movie theatres), French-language broadcasters in that province could continue to use that system, rather than the one developed by AGVOT for use by English-language services.

The French-language system, which was used during the trial and subsequently endorsed by the CRTC is as follows. [The general English translation is in brackets]

³. Among the program categories which would be assigned an Exempt rating are news, sports, documentaries and other forms of information programming. The purpose of the Exempt rating is to ensure that these types of programming are not blocked by the V-chip as un-rated programming.

E	Émissions exemptées de classement [<i>Exempt</i>]
Général	Pour Tous [<i>For all audiences</i>]
8 ans+	Peut ne pas convenir aux enfants de moins de 8 ans: l'accompagnement adulte est donc recommandé [<i>Children 8 and over</i>]
13 ans+	Peut ne pas convenir aux enfants de moins de 13 ans: l'accompagnement adulte est donc fortement recommandé [<i>For ages 13 and above</i>]
16 ans+	Peut ne pas convenir aux moins de 16 ans [<i>For ages 16 and above</i>]
18 ans	Réservé aux adultes [<i>For Adult audiences</i>]

4. V-CHIP TECHNOLOGY AND NON-US CLASSIFICATION SYSTEMS

In its Notice of Proposed Rulemaking, the FCC has identified as an issue the possible inclusion of more than one rating system in V-chips to be built into televisions sets. It has also asked how many rating systems are likely to be developed that would involve transmission on line 21 of the VBI.

As previously indicated, the most recent Canadian field trial involved transmission of the encoding information in field 2 of line 21, and our continued development of V-chip technology in Canada is focused on using that section of the signal.

We understand that there have been discussions at the EIA in reference to the Canadian systems, and that there is room to accommodate two Canadian classification systems within the current proposed V-chip configuration. AGVOT supports these EIA proposals that non-US program rating systems be incorporated into the V-chip to allow consumers across North America to access V-chip technology within their television sets.

Canadian families obtain their television programming from a number of different sources: English language program services; French-language program services; and US program services. They require the technology to enable them to use the classification systems employed by these diverse services.

The reality of the retail marketplace is such that television sets are manufactured for the North American market. Therefore television sets for which the FCC will mandate inclusion of V-chip technology will be sold in Canada. As households in our trial indicated a high degree of preference (64%) for the V-chip to be built into their television sets, Canadian consumers will expect to be able to program their new sets to react to the Canadian

classification systems. Therefore AGVOT requests that space for two Canadian program classification systems be included in the field 2 line 21 V-chip specifications to be set by the FCC.

CONCLUSION

The Canadian ACTION GROUP ON VIOLENCE TELEVISION appreciates the opportunity to participate in the FCC's public process. We believe that providing parents with useful tools with which to make appropriate viewing choices for their families is a North American issue. We trust the Commission will find this submission about the Canadian experience with television program ratings and V-chip research to be relevant and worthwhile background information as it undertakes its deliberations.

Respectfully Submitted

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(Should the Commission have any questions regarding our submission, or require additional background materials, please contact AGVOT's consultant on program ratings, Mr. Al MacKay. He can be reached at the following coordinates in Ottawa, Canada.)

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